



PTO/SB/21 (08-03)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/618,794
Filing Date	July 14, 2003
First Named Inventor	William E. RIHA
Group Art Unit	1761
Examiner Name	
Attorney Docket Number	03/057 NUT

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br>Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br>Extension of Time Request<br><br>Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br>Remarks:<br><br>Postcard Receipt<br>Limited Recognition Form<br>3 references | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other! Enclosure(s) (please identify below):<br><div></div> |
|--|---|--|

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	ProPat, L.L.C. 2912 Crosby Road Charlotte, NC 28211-2815
Signature	<i>U. Schumacher</i>
Date	January 14, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Claire Wygand		
Signature	<i>Claire Wygand</i>	Date	January 14, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE PATENT OPERATIONS

Art Unit: 1761  
Applicants: William E. RIHA  
Application No. 10/618,794  
Filed: July 14, 2003  
Title: **Mixtures with a sweetness and taste profile of high fructose corn  
syrup (HFCS) 55 comprising HFCS 42 and Acesulfame K**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Charlotte, North Carolina  
January 14, 2004

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to Rule 56 and Rule 97 *et seq.*, Applicant hereby submits the attached Form(s) PTO/SB/08B and the references listed thereon.

This submission does not represent that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art."

Applicant respectfully requests that each reference be reviewed and made of record in Application no. 10/618,794 filed July 14, 2003.

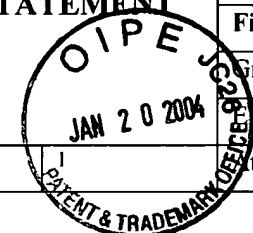
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-2193.

Respectfully submitted,

Klaus Schweitzer  
See attached Limited Recognition Form  
ProPat, L.L.C.  
2912 Crosby Road  
Charlotte, North Carolina 28211-2815  
Telephone (704) 365-4881

Attorney's Docket No. 03/057 NUT

PTO/SB/08B		Complete if Known	
Substitute for Form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/618,794
		Filing Date	July 14, 2003
		First Named Inventor	William E. RIHA
		Group Art Unit	1761
		Examiner Name	
Sheet 1	Of 1	Attorney Docket Number	03/057 NUT



OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), Title of the Article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published	T6
		FRY, Dr. JOHN C., " <i>Sugar replacement in non-diet soft drinks</i> " Food Technology International; Europe, 83-86, 1995	X
		SIMON <i>et al.</i> , " <i>Combinations of glucose syrups and intense sweeteners, application in calorie reduced soft drinks</i> " In 'FIE. Food Ingredients Europe Conference proceedings, Paris 27, 28, 29 September 1989 Maarssen, Netherlands, Expoconsult Publishers, 330-333, 1989	X
		LOTZ and MEYER, " <i>Sweetners in beverages – New developments</i> ", Food Marketing & technology, 4-91, 1994	X
EXAMINER		DATE CONSIDERED	
EXAMINER: Initial citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

IDS in spec